

Notice of Allowability

Application No.

10/822,931

Examiner

Thomas Price

Applicant(s)

SLOAN ET AL.

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a telephone interview on 12-22-2004.
2. ☒ The allowed claim(s) is/are 1 and 4-21.
3. ☒ The drawings filed on 4-13-2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 12-22-2004.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Thomas Price

Primary Examiner GAU: 3643

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kurt James on 12-22-2004.

The application has been amended as follows:

(Newly Amended) Claim 1. Apparatus for manipulating a teat cup assembly used for milking a domestic animal, the teat cup assembly including a shell and a resilient liner adapted to receive the animal's teat, the liner being capable of extending through the shell while being retained by the shell, the apparatus comprising a frame, a fixture mounted on the frame, the fixture being sized and shaped for receiving and holding the shell having the liner [retained] therein, and a puller [disposed] mounted on the frame relative to the fixture to grip and pull the liner and move the liner and shell relative to each other to stretch the liner to a position in which the liner is capable of being at least one of installed on and removed from the teat cup, wherein the puller is moveable relative to the fixture for stretching the liner, and the puller includes at least one shoe positioned relative to the fixture for pinching the liner to grip the liner and for moving away from the fixture to stretch the liner.

Cancel claims 2 and 3.

In claim 4, line 1, delete "3" while inserting 1.

In claim 8, line 4, delete "," after the word "two".

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In claim 9, line 7, delete insert –second—before the word “fixture”.

(Newly Amended) Claim 15. Apparatus for use in assembling and disassembling a liner from a shell of a teat cup assembly used in a dairy cow milking machine, the apparatus comprising a frame, a fixture [mounted on the frame and] sized and shaped for receiving and holding the shell with the liner projecting from the shell, the fixture being mounted on the frame, a puller mounted on the frame and disposed relative to the fixture to grip the liner and move the liner and shell relative to each other to stretch the liner, and a cutter mounted on the frame in a position relative to the fixture such that the cutter [may] is adapted to cut the liner gripped by the puller.

In claim 19, line 6, delete “,” after the word “two”.

Cancel claim 22.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Price whose telephone number is 703-308-2694. The examiner can normally be reached on Monday through Friday from 8:30a.m. to 5:00p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on 703-308-2574. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Thomas Price
Primary Examiner GAU: 3643

rtp